

Many In Congress Happy To Stay Ignorant Of Secrets

Some Want Information,
But House Voted To
Keep Status Quo

By GENE OISHI

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Washington — Does Congress really want to know everything the United States government does?

On balance, the answer is probably no, despite a renewed drive in Congress to dislodge foreign policy secrets from the executive branch.

Resolution Rejected

In fact, the House last week rejected, 261 to 118, a resolution asking the State Department for documents related to U.S. bombing and CIA operations in Laos.

Representative Joe D. Waggoner, Jr., (D., La.) said during the debate: "There are some things that some people in this country had better not know for the security and future well-being of this country. Therefore, they [the administration] must keep some information from me and they must keep some information from you for the benefit of the future security of this country. It is better that information as a rule be overclassified than underclassified."

Mr. Waggoner also expressed a widely held view that some members of Congress, if given secret information, could not resist the temptation of leaking some of it "to the New York Times or some other whistle blower."

The debate underscored a tacit assumption long held in Congress that the country is better served if legislators—except for a select few—are not told of everything the United States has done or is currently doing in the field of foreign affairs.

Being Challenged

This assumption, however, is now being challenged, unsuccessfully in the case of the House resolution asking for more information on Laos.

But an even more sweeping bill has been introduced in the Senate by John Sherman Cooper (R., Ky.), who wants to give every member of Congress regular access to all intelligence reports and analyses prepared for the executive branch by the CIA.



SENATOR COOPER
Seeks more disclosures

Mr. Cooper is one of the most highly regarded members of the Senate, and this is a factor of some importance in its club-like atmosphere in which the success or failure of a bill can hinge on who its sponsor is.

But Senator Cooper—a senior member of the Foreign Relations Committee—must get his bill through the Armed Services Committee, which together with the Appropriations Committee has jurisdiction over the CIA. And even without national security considerations, congressional committees instinctively resist encroachment upon their areas of competence.

The last time an attempt was made to break the Armed Services Committee's lock on the CIA was in 1966, when then Senator Eugene J. McCarthy (D., Minn.) made a comparatively modest proposal to create a special CIA committee, made up of representatives of Armed Services, Appropriations and the Foreign Relations committees.

The late Senator Richard B. Russell (D., Ga.), then chairman of the Armed Services Committee, blocked the bill from coming to a floor vote on a procedural point, effectively killing the measure.

The Cooper bill is not likely to get far in the legislative process either. Aside from the jurisdictional problems, most members of Congress appear to be ambivalent about being told too



RICHARD HELMS
Knows all the secrets

Leverett Saltonstall, a Massachusetts Republican, was quoted recently as saying when he was a member of the Senate: "They [the CIA] do things I'd just as soon not know about."

Richard Helms, Director of Central Intelligence, at least once a year gives separate intelligence briefings to small groups within the Armed Services and Appropriations committees in both houses of Congress and even to the full Senate Foreign Relations Committee, even though it does not have direct jurisdiction over the agency.

The annual briefings, according to congressional sources, consist of "around-the-world" assessments of the United States' military and intelligence posture. Other special briefings might deal with such topics as deployment and strength of Soviet nuclear missiles.

George H. Mahon (D., Texas), chairman of the House Appropriations Committee, and F. Edward Hebert (D., La.), chairman of the House Armed Services Committee, said, as did Senate sources, that Mr. Helms has never refused to answer a question during these briefings.

Mr. Hebert said there was only one exception, when he instructed Mr. Helms not to answer a question put to him by a member of his panel.

"I took it on my own responsibility," Mr. Hebert said, adding, "I won't tell you the question was."

Senate sources indicate that senators, too, impose a certain amount of self-censorship during these intelligence briefings. One source said he has never heard a question pertaining to the so-called "dirty tricks" aspect of CIA operations.

"For example," he said, "we've never asked, 'Mr. Helms, how many people did you lose in your clandestine service last year?' Maybe we should ask it, but we never have."

But it is virtually impossible to ascertain precisely what even the select few who attend CIA briefings know about the agency's activities.

As Mr. Mahon, the Appropriations chairman, notes, he picks only those "who won't talk." Then, he refused to say who they are.

He said he was opposed to the Cooper bill, saying, "If you give it [CIA information] to every member of Congress it would be like giving it to the New York Times."

Chairman Hebert of Armed Services questioned the need to know everything.

"I don't know everything," he said, "and I'm not bitching about it."

On the other side of the issue, critics of the present system say that congress had deliberately remained ignorant to avoid responsibility.

Representative Benjamin S. Rosenthal (D., N.Y.) said during the House debate last week: "I fear Mr. Speaker, that many of us did not want to know all of the facts of our involvement in Vietnam in 1965 or 1968 or even yesterday. I think that the Congress has remained much too long in self-imposed insulation... We feared that more knowledge would mean more responsibility for us."

Others argued that the information the House was seeking was already well known to the enemy so it could not be withheld for national security reasons. As the House vote indicated, they represented a minority view.

For the moment, at least, the House does not want to share fully in executive branch secrets.

WHITE HOUSE ASKS WHO SEES SECRETS

**Calls for Names of All Those
With Authority to Handle
Classified Documents**

By JOHN HERBERS
Special to The New York Times

SAN CLEMENTE, Calif., July 7—The White House said today that it had ordered the compilation of a list of all persons who have authority to see top-secret documents.

Gerald L. Warren, assistant White House press secretary, said in response to questions that a confidential memorandum signed by Brig. Gen. Alexander M. Haig Jr., Deputy Assistant to the President for National Security, had gone to departments and agencies directing them to compile lists of those having top-secret clearance.

Mr. Warren said the memorandum, issued June 30, was part of a review of the process of classification and declassification ordered by President Nixon on Jan. 15.

He was vague about the details of the memorandum, whose existence was disclosed today in The Washington Post. But other officials said it was part of an Administration effort to reduce the number of security clearances both in and out of Government.

Pentagon Is Complying

In Washington, a spokesman said that the Department of Defense was compiling its list. The spokesman said Secretary of Defense Melvin R. Laird had ordered the step about three days ago.

The memorandum set this coming Sunday as a deadline for compilation of the lists, but it was considered doubtful that the departments could comply that quickly. Because of unclear regulations about security clearances, there was some doubt about the ability of the agencies to compile comprehensive lists at all.

There were indications that no one in the Government knows how many persons have security clearance and that Mr. Nixon is trying to put the entire disputed matter of classified documents under central control for the first time.

Various laws and regulations apply in departments and agencies dealing with sensitive matters. Estimates of the number of those with some authority to see top-secret documents run as high as many thousands.

Members of the armed forces, the Central Intelligence Agency, the White House, the State Department, the Justice Department, defense contractors and consultants are heavily involved in security matters.

About the time the White House memorandum was drafted, Mr. Laird ordered tightened security at the Rand Corporation in Santa Monica, Calif., which conducts defense research on a contract basis.

Daniel Ellsberg, a former Rand employe and Pentagon official, is under indictment for alleged misuse of top-secret documents and has said publicly he passed copies of a study of the Vietnam war to newspapers.

Documents published by The New York Times and other papers carried top-secret classification.

‘Immediate Reductions’

The Haig memorandum says in part that “each responsible department and agency” must initiate at once “a review and screening of each top-secret and compartmented clearance presently held by individuals with a view to effecting immediate reductions of all clearances which cannot be demonstrated to meet the requirement of strict need to know.”

Mr. Nixon arrived at the summer White House here last night for a two-week stay, accompanied by Secretary of State William P. Rogers; the director of Central Intelligence, Richard Helms; General Haig and other officials. He conferred at length with Mr. Helms about the latter's recent trip to the Middle East.

The Pentagon spokesman, Brig. Gen. Daniel James Jr., said that as of April, 1971 803 in the defense establishment had authority to classify material as top secret. But the department was unable to say how many had access to top-secret material.

The list of 803 began with the Secretary of Defense and went through 12 categories of descending rank.

The last category was: “commanders and deputy or vice commanders and chiefs of staff of major field and fleet commands, forces or activities, as designated by the chiefs of the military services or the commanders of the unified and specified commands concerned.”

On Capitol Hill, William B. Macomber Jr., deputy Under Secretary of State for Administration, told a House Government Operations subcommittee that the State Department now classified as secret 200,000 documents a year. He said the average over the last 20 years had been about 100,000 a year.

Mr. Macomber conceded, under questioning, that too many documents were classified, and remained classified for excessive periods.

Asked if the State Department had requested that the Justice Department seek injunctions against The New York Times and other newspapers to halt publication of the Pentagon study, Mr. Macomber said it had not. But said that the State Department concurred with the Justice Department because of “deep concern” over disclosure of some of the material.

Asked if a substantial portion of the Pentagon study could be declassified without harming national security, he replied: “Some of it.”

He said that only about 10 to 15 per cent of the material in the 47-volume study should remain classified on the ground of national security.